



BULLETIN

Volume 8, Issue 7

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Risk Management Division Mission Statement

To protect the assets of the State of North Dakota - its people, property, and financial resources - so that the State can continue to meet its obligations to its citizens.

The 2003 Risk Management Seminar:

North Dakota's COG and COOP Processes

*April 30, 1:00 to 5:00 p.m.
and May 1, 8:00 a.m. to noon*

The 8th annual Risk Management Seminar will be held at the Heritage Center on the State Capitol Grounds in Bismarck on April 30 from 1:00 to 5:00 and on May 1, from 8:00 to noon.

The focus for this year's Seminar will be the introduction of a tool to facilitate completion of the Continuum of Government (COG) and Continuum of Operations (COOP) plans. The Seminar will also provide you with an update on legislation affecting the Risk Management Fund and Risk Management Workers Compensation Program, as well as a status report on the contribution discount programs.

A majority of State agencies and facilities have filed initial COG or COOP plans that address essential and vital business functions. *However, that is only a first step in the business continuity planning process.* The State COG Team will use this year's Seminar to introduce a software program that has been purchased to build on the very good start State entity's have made, and to facilitate the development of completed plans that will meet Governor Hoeven's July 2002 directive.



Who should attend the Seminar? Entity COG, Risk Management, and Risk Management Workers Compensation Program contacts; Entity IT personnel; COG teams; Division Directors; and anyone involved in categorizing your entity's functions and developing your COG or COOP plan.

Note: *Because attendance at the Seminar is a pre-requisite for an entity qualifying for the maximum Risk Management Fund and RM Workers Compensation Program Discounts, pre-registration and sign-in for both sessions will again be required.*

You may register by contacting Renae Heller at 701-328-6514 or rheller@state.nd.us.

Continuum of Government (COG)

As the State COG Team began the process of evaluating the adequacy of the first phase drafts of entity COG plans submitted to Risk Management, it became clear that there is a need to establish a method to differentiate between the *continuum of government process* for the state of North Dakota and the *continuum of operations process* for individual State entities.

Continuum of Government (COG) is defined as the preservation, maintenance, or reconstitution of government's ability to carry out the executive, legislative, and judicial processes under the threat or occurrence of any emergency condition that could disrupt such processes and services.

In other words, a COG Plan addresses:

- Maintaining order and control;
- Continuing the line of governmental authority and responsibility;
- Pre-delegation of emergency authorities;
- Emergency Action steps;
- Emergency Operating Centers;
- Safeguarding Vital Records; and
- Protecting government resources, facilities, and personnel.

A number of State entities have identified essential functions they perform that do not relate to the State's COG functions. However, those functions are essential for the individual entity's continuum of operations (COOP).

Continuum of Operations COOP is defined as the ability to reconstitute mission essential business processes and functions during and following any emergency that may disrupt normal operations and services for an extended period of time.

A COOP Plan addresses:

- Succession Plan and Delegation of Authority;
- Protection of Agency personnel, facilities, and resources;
- Identifying, positioning, and maintaining equipment for alternate facilities;
- Safekeeping vital records;
- Internal and external communications;
- Security; and
- Contingency planning.

Each State entity will have a COOP plan. However, not every entity will have a role in the State COG plan. For example, the North Dakota Geological Survey Agency's building is destroyed by fire requiring them to relocate. The Agency has identified "Issuing Permits" as an essential function. While this function is an essential COOP function of Geological Survey, it is not an essential State COG function.

Determining each State entity's status (COG or COOP) will enable the State COG Team to prioritize essential COG processes. Agencies and facilities designated as COOP were notified of that status via a January 21, 2003 e-mail.



Loss Control Tools

Accessing the Risk Management Online Training System.

The Online Training System allows you to



complete training modules from the convenience of your own workstation. You will have access to any or all of the modules in the system. Modules are added on a regular basis. Watch for titles of available modules in future Risk Management Bulletins.

In order to access this training opportunity you first must obtain a system password from your agency's Risk Management Workers Compensation contact or from Derek Watkins at 328-6513. To get started:

1. Click on the "start training" link.
2. In the "company/organization" field type in "ND state employee" and the system password.
3. Click on "new students" icon to register.
4. Select the course you want to take.
5. If you have previously registered in the system, you will find your name in the drop down box in the "new student section." Highlight your name.

Suicide Prevention Training

The Risk Management Division is joining with the North Dakota Insurance Reserve Fund to sponsor a one day training seminar to be presented by Lindsay M. Hayes, an nationally recognized expert in the prevention of "in-custody deaths." The training is scheduled for May 21, 2003 at the Heritage Center Auditorium on the Capitol Grounds in Bismarck. It is also accessible via a web cast. There is no cost to attend this training. The registration deadline is May 1, 2003. For further information, contact Jeannine Veitz at the Department of Corrections and Rehabilitation (701) 328-6362.

6. If you have not previously registered for a course you will need to register now.
To register :

a. use your **department and location** - (OMB Risk Mgt, DHS WCHSC, DOT Central Office, etc.) in the "location field."

b. Type your department number under "department."

c. For a personal password, use the first letter of your last name and the last 4 digits of your social security number.

7. In student menu section click on "next section" and "go" icons to watch slide show.

8. In student menu section click on "tests" and "take test." 70% or better required to pass test.

9. Exit system upon completion.

Modules currently available include:

- Ergonomics-Computer Workstations
- Medical Documentation
- Safe Van Operations
- Substance Abuse for Non-Supervisors
- Substance Abuse for Supervisors
- Workers Compensation

If your entity would like to use the system to either present annual or pre-employment training you are currently using, contact our office.

RMWCP UPDATE

Workers Comp Coverage for State employees working outside the State



We recently learned that some state of North Dakota employees are working outside of the State, either permanent or temporary assignment, without workers compensation coverage. It is imperative that the State identifies this potential exposure and remedies any shortfalls.

The Risk Management Workers Compensation Program would like to coordinate placing this coverage for all state agencies and facilities.

When State employees permanently work outside the State:

As an employer, the state of North Dakota is required to provide workers compensation for employees working on a permanent basis outside of the state of North Dakota, *which coverage must be in place at the time the employee begins those duties.*

Because the state of North Dakota is a workers' compensation monopolistic state, it is probable that, at least initially, the most practical way to secure this needed coverage is for the State to purchase the separate statutory workers' compensation coverage in each state where an employee is working. The first step in securing that coverage is to complete an application form detailing the number of employees working in that State, a description of each employee's activity (a job description), and the gross annual payroll by job description.

We recommend that State agencies provide that information to our office as soon as they become aware that an employee will be permanently working outside of the state of North Dakota so that we may submit an application for workers' compensation coverage for that employee.

When State employees temporarily work outside the State:

There was an article in the fall 2002 edition of NDWC's *Worklink* discussing the reciprocity agreements North Dakota currently has with Montana, South Dakota, Idaho, Oregon, Washington, Utah and Wyoming for North Dakota employees *temporarily* working in any of those states.

You should be aware that if a state employee is assigned to work *temporarily* in any state other than one of those seven, that employee's workers' compensation coverage is limited to 30 days. If the temporary assignment requires the employee work in the other state for more than 30 days, the State agency or facility will either have to purchase workers' compensation coverage from the state where the work is being conducted, or require the employee to return to North Dakota at the end of 30 days. A second 30 day period of coverage can be instituted if the employee returns to North Dakota, performs at least one work task in the state of North Dakota, and then returns to his or her temporary assignment in the other state.

The referenced reciprocal agreements extends the 30 day period for six months in Montana, Wyoming, Idaho, and Oregon, and one year in South Dakota, Washington, and Utah if the State requests NDWC to arrange that coverage.

Accordingly, please contact our office to assist in placing extraterritorial coverage should the need arise for your agency or facility.

Risk Management Division

Wells Fargo Bank Building, Suite 613
400 East Broadway Avenue
Bismarck ND 58501

CHECK IT OUT!!

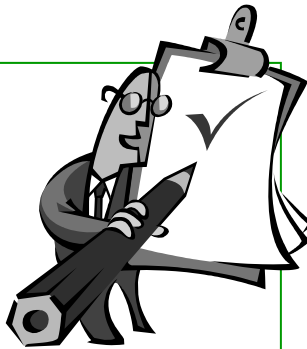
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Report any corrections to our office.

BULLETIN

RM Fund and RMWCP Discount Programs Update

- **May 1, 2003** is the deadline to submit applications for discounts for contributions due during fiscal year 2004.
- To ensure you are using the most current Application Forms, access a copy from the Risk Management Division website.

Documentation that your entity meets the criteria for the discounts must accompany the applications. (Remember, loss control committee meetings minutes are efficient documentation tools.) Those minutes can also be used to document compliance with on-site audit report recommendations.



Risk Management Division Website Features

Visit our website at www.state.nd.us/risk/ for standard and updated features including:

- ◆ Personnel e-mail and telephone directory
- ◆ Risk Management Manual
- ◆ Reporting Forms (following page 3.5-1 of the manual)
 - * Incident Reort (SFN 50508)
 - * Notice of Claim (SFN 50552)
 - * Motor Vehicle Accident Report (SFN 51301)
 - * Destruction Hold Notice (SFN 52376)
- ◆ Facility Audit and Inspection Checklists (Page 4.3-1)
- ◆ Emergency and Disaster Procedures (Pages 4.5-1 through 4.6-5)
- ◆ Facility Use Agreement Form (Page 5.2-2)
- ◆ Waiver Forms (Pages 5.2-3 & 4)
- ◆ Risk Management Bulletins
- ◆ Discount Application Forms
 - * RM Fund (SFN 53424)
 - * RMWCF (SFN 53425)